

## CHAP. 45

An Act to amend the act respecting employment bureaus

[Assented to, 19th of March, 1921]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

**1.** Article 2520*l* of the Revised Statutes, 1909, as R. S., 2520*l*, enacted by the act 4 George V, chapter 21, section 2, is am. amended:

*a.* by adding thereto, after the word: “belongs”, at the end of the first paragraph thereof, the words: “in accordance with the Quebec License Act”;

*b.* by striking out the second and third paragraphs thereof.

**2.** This act shall come into force on the day of its <sup>Coming</sup> sanction. <sub>into force.</sub>

## CHAP. 46

An Act respecting disputes between employers and employees of municipal public services

[Assented to, 19th of March, 1921]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

**1.** The following section and articles are inserted in R. S. 2520*oa* the Revised Statutes, 1909, after section fourteenth-*a* of <sup>to 2520*oo*,</sup> chapter ninth of title fourth thereof: <sub>enacted.</sub>

“SECTION XIV*b*

“MUNICIPAL STRIKES AND LOCK-OUTS

“§ 1.—*Short title*

“**2520*oa***. This section may be cited under the name *Short title* of: “The Municipal Strike and Lock-out Act”.

“§ 2.—*Declaratory and interpretative provisions*

“**2520*ob***. In this section the following words, expres- <sup>Interpreta-</sup> <sub>tion.</sub>

sions and terms shall have the meaning and application respectively given them, to wit:

*a.* The word "employer", means any person or body of persons presiding over, administering or controlling any public municipal service as defined in this article;

*b.* The word "employee" means and includes policemen, firemen, waterworks employees and those in charge of the incineration of garbage;

*c.* The words "public municipal service" include every municipal corporation having a fire, public safety, waterworks or sanitary incineration service, in which at least ten persons are employed.

"§ 3.—*Application of the Act*

Application  
of act.

"**2520oc.** This section shall apply to any claim or dispute between employers and employees in connection with the following matters:

*a.* The price to be paid for work done or in course of being done, whether the disagreement has arisen with respect to wages, working hours, by night or by day, or the length of day or night work;

*b.* The dismissal of one or more employees on account of membership in any labor union.

"§ 4.—*Illegality of strikes and lock-outs*

Strike or  
lock-out il-  
legal unless  
submitted  
to board of  
arbitration.

"**2520od.** It shall be unlawful for an employer to declare or cause a lock-out, or for employees to strike, on account of any dispute mentioned in the foregoing article before such dispute has been submitted to a board of arbitration.

Provisions  
to apply.

"**2520oe.** In so far as applicable, all the provisions of The Quebec Trade Disputes' Act, articles 2489 to 2520, inclusive, shall apply to this section, except, however, in so far as regards the provisions relating to the following matters:

1. The appointment of arbitrators;
2. The delays fixed for the appointment of arbitrators and for the publication of the award of the said arbitrators;
3. Drawing up the schedules and notices required for the carrying out of the law, and their prompt transmission to the interested parties.

“§ 5.—*Arbitration*

“**2520***of.* Every application for the creation of a board of arbitration must be made in writing, and addressed to the Minister of Public Works and Labor. Applications to be in writing.

The application and the declaration accompanying it must,— Contents.

*a.* if made by an employer, be signed by the mayor or one of the principal executive officers of the municipality duly authorized thereto;

*b.* if made by employees who are members of a labor union, be signed by two of the officers regularly authorized by a vote representing a majority of the members of the union or by a ballot of the members of the union who were present at a meeting called by a notice, given at least three days beforehand, of the subject to be debated; or, where the dispute directly affects the interests of employees in more than one Province, and the employees form part of any labor union having a general committee authorized to carry on negotiations in disputes between employers and employees, and also recognized by the employer, the declaration may be signed by the president and by the secretary of the said committee;

*c.* if made by employees the whole or a certain number of whom are not members of the union, be signed by two among them duly authorized by a vote by ballot of the majority of the employees present at a meeting of which three days notice has been given beforehand of the matter to be debated.

Within five days from the receipt of an application in due form for the creation of a board of arbitration, the Minister must see to the appointment of such board of arbitration. Delay for appointment of board.

“**2520***og.* The board of arbitration shall consist of three members, each of the parties appointing one representative, and, failing an agreement within two days of their appointment between the two representatives regarding the choice of the third representative, the Minister of Public Works and Labor shall himself choose such third arbitrator. Composition of board.

“**2520***oh.* If either of the parties neglect to designate his representative within a delay of five days after having been called upon to do so by the Minister, the latter shall, without delay, appoint the arbitrator who should have been chosen by the party in default, and such member of the board shall be deemed to be appointed at the request of the party in default. Representatives to be appointed by Minister in certain case.

**Award.** “**2520oi.** The board of arbitration shall submit its award to the Minister of Public Works and Labor after not more than five days deliberation, and a copy of the said award shall be sent to the registrar of the council of conciliation and arbitration to form part of the archives of the Department of Labor.

“§ 6.—*Penalties and fees*

**Penalty.** “**2520oj.** Any employer who declares or who is the cause of a lock-out in contravention of the provisions of this section, shall be liable to a fine of not less than one hundred nor more than one thousand dollars, for every day or part of a day that such lockout lasts.

**Penalty.** “**2520ok.** Every employee who goes on strike in contravention of the provisions of this section, shall be liable to a fine of not less than ten nor more than fifty dollars, for every day or part of a day such employee remains on strike.

**Penalty.** “**2520ol.** Any person who incites, encourages or aids in any manner an employer to declare or continue a lock-out, or any employee who goes on strike or remains on strike, in contravention of the provisions of this section, shall be guilty of an offence and liable to a penalty of not less than fifty nor more than one thousand dollars.

**Provisions to apply.** “**2520om.** The provisions of part xv of the Criminal Code shall apply to prosecutions brought and taken under this section.

**Remuneration of board.** “**2520on.** Notwithstanding the provisions of article 2517 of the Quebec Trade Disputes’ Act, the remuneration of the board of arbitration shall be as follows:

For one complete day’s sitting . . . . . \$10.00;  
For one-half day’s sitting . . . . . \$ 5.00.

**Award in respect to costs.** “**2520oo.** The arbitrators shall, at their discretion, state, in giving their award, which party is to bear the cost of the arbitration.”

**Coming into force.** **2.** This act shall come into force on the day of its sanction.